



DEPT. OF ENVIRONMENT AND ENERGY

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WAS032

January 2023

ILLEGAL DUMP SITE CLEANUP PROGRAM

Reimbursement Request Guidance Document

Planning and Aid Division
Waste and Air Grants Group
PO Box 98922
Lincoln, NE 68509-8922
ndeq.wastegrants@nebraska.gov
402-471-2186 Toll Free 1-877-253-2603

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PROGRAM DESCRIPTION

The Nebraska State Legislature passed LB 495, effective June 11, 1997. This legislation provides funding to reimburse political subdivisions for their costs “incurred in response to and remediation of any solid waste disposed of or abandoned at dump sites or discrete locations along public roadways or ditches and on any contiguous area affected by such disposal or abandonment.”

The annual amount available shall not exceed five percent of the total revenue from the disposal fee collected in the preceding fiscal year. Applications received after the total available funds are awarded may be eligible during the next fiscal year **but are not an obligation of the state.**

The Director shall make efforts to ensure equal geographic distributions throughout the state and may prioritize applications in order to accomplish this goal.

The Department encourages the applicant to recycle or salvage materials when possible.

ELIGIBILITY REQUIREMENTS

Eligible applicants: Political subdivisions

Eligible activities: Cleanup of illegal dump sites where solid waste has been disposed of or abandoned. Examples include: removal of household waste, white goods, construction and demolition waste, furniture, etc., and disposed in a permitted facility or recycled.

Non-eligible activities: Cleanup of random littering. Example: random pieces of paper, plastic, aluminum drink containers, brush, tree debris, etc.

REIMBURSEMENT PROCEDURE

1. The political subdivision uses existing staff and equipment for the cleanup or contracts for the services.
2. Illegal dump site cleanup is completed.
3. The political subdivision completes an Illegal Dump Site Cleanup Request for Reimbursement Form and submits by e-mail to ndeq.wastegrants@nebraska.gov or by U.S. mail to the Department of Environment and Energy, Waste and Air Grants Group, PO Box 98922, Lincoln, NE 68509-8922.
4. Department staff review the request.
5. If the request is complete and approved, the request is placed on the List for Future Payments in the order received.
6. If the request is incomplete, the request form is returned to the political subdivision for further information.
7. If funds are available at the time of request approval, a disbursement document will be prepared to authorize the reimbursement.

8. If funds are not available at the time of the request approval, the request will remain on the List for Future Payments until funds are available.
9. The Department may prioritize requests to ensure equal geographic distribution throughout the state.

HOW TO COMPLETE THE REIMBURSEMENT REQUEST FORM

All sections of the one-page request must be completely answered in order to have your request approved and placed on the List for Future Payments. Three completed request forms, based on three different scenarios, are included as examples in Exhibit A.

The following must be provided in the appropriate section of the request form:

1. Name of the political subdivision and its Federal Identification Number.
2. Mailing address where reimbursement payment is to be sent.
3. Name of contact person knowledgeable about the cleanup project and available to answer questions.
4. Legal description of the illegal dump site, which must include quarter-section, section, township, and range.
5. Directions from the nearest town, including county road names. Example: 3 miles west on Hwy. 12 and 1 mile north on Raven Road from Happy.
6. Date cleanup occurred. If work occurred over several days, please list all dates.
7. Describe the types of solid waste that were cleaned up. Examples: 3 bags of household waste; 1 refrigerator; 2 dump truck loads of asphalt shingles and miscellaneous construction debris; or 4 tons of miscellaneous items including 12 white goods, 8 couches and chairs, and construction materials such as shingles, scrap metal, and waste wood.
8. State the total amount of reimbursement requested. You have two choices for submitting your expenses:
 - Use the Schedule of Eligible Costs & Calculations on the back of the reimbursement request form, or
 - Submit documentation of your expenses.

The schedule of eligible costs was compiled from public and private sources across the state. The rates for equipment and transportation include the operator and maintenance. **If you chose to use the Schedule of Eligible Costs & Calculations**, you must complete the following steps:

- a. Insert the number of employees, number of hours, and the provided hourly rate, unless the Department approves a rate for a specialized laborer. Place the calculated amount in the right-hand column.
- b. Identify the type of equipment used, number of hours, and hourly rate from the list. Place the calculated amount in the right-hand column.

- c. Identify the type of vehicle used, number of miles, and the approved mileage rate if using a pickup truck. If a different vehicle is used, contact the Department for the correct mileage rate. Place the calculated amount in the right-hand column.
- d. Enter the total disposal fees (if applicable) in the right-hand column. **Attach a dated receipt for the disposal or collection fees.**
- e. Add the individual expense amounts and enter the total in the right-hand column. This amount must agree with the amount shown in item 8 on the front side of the reimbursement request form.

NOTE: You do not have to submit verification of hours spent and miles traveled with your reimbursement request. However, you must maintain these records as the political subdivision is subject to random audits by the Department or its agents. The auditor will review records and verify the information submitted on the reimbursement request form. **If you choose to submit documentation of your expenses**, instead of using the Schedule of Eligible Costs & Calculations, you must submit copies of timesheets identifying the time spent on the cleanup, payroll records verifying the hourly rate of employees, rental rates for equipment and vehicles, etc., or a copy of the invoice from a contractor. Include a list of each expense showing the total cost per invoice. The total cost must agree with question 8 on the front of the form.

All expenses submitted for reimbursement under this option will be subject to an eligibility test:

- Are the expenses necessary to conduct the cleanup activity?
- Is the amount reasonable for this type of cleanup activity?

You must select to either use the Schedule of Eligible Costs & Calculations or submit expense documentation. You cannot submit some expenses using the Schedule of Eligible Costs and document others unless the only documented expense is for a contractor.

9. Identify efforts taken to discourage future illegal dumping at this site. Please attach additional sheets if the space provided is not sufficient to identify all activities. Examples may include signs, newspaper announcements, guard rails, fencing, consultation with appropriate law enforcement authorities, etc.
10. The authorized representative must sign the reimbursement request form. An authorized representative is an individual with authority to do business for the political subdivision.

NOTE: The political subdivision must follow their required procurement standards when using a contractor.

GLOSSARY

Garbage means rejected food waste, including waste accumulation of animal, fruit, or vegetable matter used or intended for food or that attend to the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit, or vegetables.

Illegal dump site means any discrete locations along public roadways or road ditches where solid waste is disposed or abandoned. Any area contiguous to the public roadway or ditch,

which is affected by the disposed or abandoned solid waste, is considered part of the illegal dump site.

Political subdivision means a division of the State formed pursuant to proper authority for the purpose of carrying out governmental or public functions, and includes counties, townships, cities, villages, districts, authorities, and other public corporations and entities, whether organized and existing under direct provisions of the Constitution of Nebraska or statutes of this State, or by virtue of charters or other corporate articles or instruments executed under authority of such constitution or laws.

Refuse means putrescible and non-putrescible solid waste, except body waste, and includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, industrial wastes, and other such wastes.

Sludge means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

Solid waste means any garbage, refuse, or sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, and mining operations and from community activities. But solid waste shall not include solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Clean Water Act, as amended, 33 U.S.C. 1251 et seq., or source, special nuclear, or byproduct materials as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq.

EXHIBIT A - EXAMPLES

The following are three scenarios describing possible activities to clean up an illegal dump site. Sample reimbursement request forms are completed for each of the scenarios in the pages that follow.

Please contact the Planning and Aid Division, Waste and Air Grant Unit at 402-471-2186 or ndeq.wastegrants@nebraska.gov if you have any questions about completing the reimbursement request form.

SCENARIO ONE

Two employees used a county-owned pickup to load a refrigerator which was thrown in a county ditch. The refrigerator was delivered to the local transfer station. The employees spent 2 hours each and drove a total of 64 miles. The transfer station collection fee was \$18.00. See pages 5 & 6 to view the completed reimbursement request form for this scenario.

SCENARIO TWO

Two dump truck loads of asphalt shingles and miscellaneous construction debris were dumped in a roadside ditch. Three employees were involved with the cleanup. Employee one spent 4 hours operating a loader to place the materials into the dump truck, employee two spent 4 hours operating the dump truck, and employee three spent 3 hours on manual cleanup. Employee three drove a pickup to the site for a total of 12 miles. The cost to dispose of the shingles was \$104.00 See pages 7 & 8 to view the completed reimbursement request for this scenario.

SCENARIO THREE

Miscellaneous white goods, furniture, building materials, etc., were dumped along a public roadway extending approximately one block. The county paid ABC construction Company \$860.00 to remove the materials and haul them to the local landfill. See pages 9 & 10 to view the completed reimbursement request form for this scenario.

REQUEST FOR REIMBURSEMENT - ILLEGAL DUMP SITE CLEANUP

**NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY
Planning and Aid Division, Waste and Air Grant Unit**

1. Scenario One _____ 47-014773
Applicant Federal Identification Number
2. 123 Your Street _____ Happy _____ 68508 _____ Evans
Applicant mailing address City/Village Zip Code County
3. Kevin Kleenup _____ County Clerk _____ 402-204-2600
Designated contact person Title Telephone
Kevin.kleenup@happy.ci.ne.gov
Email address
4. Legal Description: SW Quarter of Section: 3 Township: 12N Range: 6E
5. Street address or location from nearest town: 9 miles west on Highway 12 and 1 mile north on Ravens Road from Happy.
6. Date(s) cleanup occurred: March 20, 2023
7. Describe materials cleaned up: _____

8. Total reimbursement amount requested: \$ 107.92
Must equal the total listed on the next page if using the schedule of eligible costs or documented expenses you have attached.
9. Describe efforts taken to discourage future illegal dumping at this site. Attach additional sheets if needed.
None, this is not a regular dump site.

10. I, the undersigned Authorized Representative, certify this information is true, accurate, and complete.

<u>Kevin Kleenup</u>	<u>3-26-2023</u>
Signature of Authorized Representative	Date
<u>Kevin Kleenup, County Clerk</u>	
Printed name of Authorized Representative and Title	

PLEASE SEND THE COMPLETED FORM TO: Nebraska Department of Environment and Energy
Waste and Air Grants Unit
PO Box 98922
Lincoln, Nebraska 68509-8922
ndeq.wastegrants@nebraska.gov

(Over for Schedule of Eligible Costs & Calculations)

SCHEDULE OF ELIGIBLE COSTS & CALCULATIONS

A. Labor Costs

The per hour rate for laborer includes fringe benefits and is calculated for a nontechnical, non-managerial position. Labor costs refer to employees picking up materials by hand, not with equipment. In the event that a specialized laborer is required to perform the work, please contact the Department.

Maximum reimbursement rate: \$12.00 per hour

 2 Employees x 2 Hours x \$12.00 per hour = \$ 48.00

B. Equipment Costs

The equipment costs are the **maximum per hour rate for equipment and the operator**. In the event that the cleanup required usage of equipment not listed below, please contact the Department for a maximum rate.

Equipment Type	Maximum hourly rate
Loader	\$68.00
Skidloader	\$44.00
Backhoe-small	\$53.00
Backhoe-large	\$90.00
Crawler	\$73.00
Lo-boy	\$65.00
Dump truck	\$43.00

REMINDER: Equipment cost rates include operator, mileage, and maintenance.

Equipment Type _____: _____ Hours x \$ _____/hour = \$ _____

Equipment Type _____: _____ Hours x \$ _____/hour = \$ _____

Equipment Type _____: _____ Hours x \$ _____/hour = \$ _____

C. Transportation Costs

The transportation costs are the maximum **per mile rate for the vehicle**. In the event that the cleanup required usage of a vehicle not listed below, please contact the Department for a maximum rate. REMINDER: Transportation costs include operator, mileage, and maintenance.

Vehicle Type	Maximum per mile rate
Pickup Truck	\$0.655

Type of Vehicle: Pickup 64 miles x \$.655 /mile = \$ 41.92

D. Disposal Fee (attach paid receipt) \$ 18.00

TOTAL REIMBURSEMENT FEE (report in item 8 on the other side) \$ 107.92

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE DEPARTMENT AT 402-471-2186

NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY
Planning and Aid Division, Waste and Air Grant Unit

1. Scenario Two 47-239862
 Applicant Federal Identification Number

2. 123 Your Street Happy 68508 Cool
 Applicant mailing address City/Village Zip Code County

3. Floyd Proud City Manager 308-204-9380
 Designated contact person Title Telephone
Floyd.proud@happy.ci.ne.gov
 Email address

4. Legal Description: NE Quarter of Section: 10 Township: 8N Range: 4W

5. Street address or location from nearest town: 4578 Kay Road

6. Date(s) cleanup occurred: February 28, 2023

7. Describe materials cleaned up: Asphalt shingles, concrete rubble, and used bricks

8. Total reimbursement amount requested: \$ 591.86
 Must equal the total listed on the next page if using the schedule of eligible costs or documented expenses you have attached.

9. Describe efforts taken to discourage future illegal dumping at this site. Attach additional sheets if needed.
 Contacting all local contractors to remind them of proper disposal methods.

10. I, the undersigned Authorized Representative, certify this information is true, accurate, and complete.

<u>Floyd Proud</u>	<u>3-5-2023</u>
Signature of Authorized Representative	Date
<u>Floyd Proud, City Manager</u>	
Printed name of Authorized Representative and Title	

PLEASE SEND THE COMPLETED FORM TO: **Nebraska Department of Environment and Energy**
Waste and Air Grants Unit
PO Box 98922
Lincoln, Nebraska 68509-8922
ndeq.wastegrants@nebraska.gov

(Over for Schedule of Eligible Costs & Calculations)

SCHEDULE OF ELIGIBLE COSTS & CALCULATIONS

E. Labor Costs

The per hour rate for laborer includes fringe benefits and is calculated for a nontechnical, non-managerial position. Labor costs refer to employees picking up materials by hand, not with equipment. In the event that a specialized laborer is required to perform the work, please contact the Department.

Maximum reimbursement rate: \$12.00 per hour

 1 Employees x 3 Hours x \$12.00 per hour = \$ 36.00

F. Equipment Costs

The equipment costs are the **maximum per hour rate for equipment and the operator**. In the event that the cleanup required usage of equipment not listed below, please contact the Department for a maximum rate.

Equipment Type	Maximum hourly rate
Loader	\$68.00
Skidloader	\$44.00
Backhoe-small	\$53.00
Backhoe-large	\$90.00
Crawler	\$73.00
Lo-boy	\$65.00
Dump truck	\$43.00

REMINDER: Equipment cost rates include operator, mileage, and maintenance.

Equipment Type Loader : 4 Hours x \$ 68.00 /hour = \$ 272.00

Equipment Type Dump Truck : 4 Hours x \$ 43.00 /hour = \$ 172.00

Equipment Type _____ : _____ Hours x \$ _____/hour = \$ _____

G. Transportation Costs

The transportation costs are the maximum **per mile rate for the vehicle**. In the event that the cleanup required usage of a vehicle not listed below, please contact the Department for a maximum rate. REMINDER: Transportation costs include operator, mileage, and maintenance.

Vehicle Type	Maximum per mile rate
Pickup Truck	\$0.655

Type of Vehicle: Pickup 12 miles x \$.655 /mile = \$ 7.86

H. Disposal Fee (attach paid receipt) \$ 104.00

TOTAL REIMBURSEMENT FEE (report in item 8 on the other side) \$ 591.86

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE DEPARTMENT AT 402-471-2186

REQUEST FOR REIMBURSEMENT - ILLEGAL DUMP SITE CLEANUP

NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY Planning and Aid Division, Waste and Air Grant Unit

1. Scenario Three 47-014733
Applicant Federal Identification Number
2. 123 Your Street Happy 68508 Evans
Applicant mailing address City/Village Zip Code County
3. Kevin Kleenup County Clerk 402-204-2600
Designated contact person Title Telephone
Kevin.kleenup@happy.ci.ne.gov
Email address
4. Legal Description: SW Quarter of Section: 10 Township: 9N Range: 8E
5. Street address or location from nearest town: 10 miles east on Highway 12 and 3 miles north
on Turtle Creek Road from Happy
6. Date(s) cleanup occurred: April 1 and April 3, 2023
7. Describe materials cleaned up: White goods, furniture, building materials, and household waste
8. Total reimbursement amount requested: \$ 860.00
Must equal the total listed on the next page if using the schedule of eligible costs or documented expenses you have attached.
9. Describe efforts taken to discourage future illegal dumping at this site. Attach additional sheets if needed.
The site has an on-going dumping problem. "No Dumping" signs have been placed at the site.

10. I, the undersigned Authorized Representative, certify this information is true, accurate, and complete.

<u>Rita Rite</u>	<u>4-13-2023</u>
Signature of Authorized Representative	Date
<u>Rita Rite, County Chair</u>	
Printed name of Authorized Representative and Title	

PLEASE SEND THE COMPLETED FORM TO: Nebraska Department of Environment and Energy
Waste and Air Grants Unit
PO Box 98922
Lincoln, Nebraska 68509-8922
ndeq.wastegrants@nebraska.gov

(Over for Schedule of Eligible Costs & Calculations)

SCHEDULE OF ELIGIBLE COSTS & CALCULATIONS

I. Labor Costs

The per hour rate for laborer includes fringe benefits and is calculated for a nontechnical, non-managerial position. Labor costs refer to employees picking up materials by hand, not with equipment. In the event that a specialized laborer is required to perform the work, please contact the Department.

Maximum reimbursement rate: \$12.00 per hour

_____ Employees x _____ Hours x \$12.00 per hour = \$_____

J. Equipment Costs

The equipment costs are the **maximum per hour rate for equipment and the operator**. In the event that the cleanup required usage of equipment not listed below, please contact the Department for a maximum rate.

Equipment Type	Maximum hourly rate
Loader	\$68.00
Skidloader	\$44.00
Backhoe-small	\$53.00
Backhoe-large	\$90.00
Crawler	\$73.00
Lo-boy	\$65.00
Dump truck	\$43.00

REMINDER: Equipment cost rates include operator, mileage, and maintenance.

Equipment Type _____: _____ Hours x \$_____/hour = \$_____

Equipment Type _____: _____ Hours x \$_____/hour = \$_____

Equipment Type _____: _____ Hours x \$_____/hour = \$_____

K. Transportation Costs

The transportation costs are the maximum **per mile rate for the vehicle**. In the event that the cleanup required usage of a vehicle not listed below, please contact the Department for a maximum rate. REMINDER: Transportation costs include operator, mileage, and maintenance.

Vehicle Type	Maximum per mile rate
Pickup Truck	\$0.655

Type of Vehicle: _____ miles x \$_____/mile = \$_____

L. Disposal Fee (attach paid receipt) \$_____

TOTAL REIMBURSEMENT FEE (report in item 8 on the other side) \$_____

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE DEPARTMENT AT 402-471-2186

ABC CONSTRUCTION COMPANY
420 Our Street
Happy, NE 68508

INVOICE

Date: April 5, 2023

TO: Evans County
123 Your Street
Happy, NE 68508

Services Provided:

Loaded and transported illegally dumped items to the Evans County Landfill
On April 1 and 3, 2001.

TOTAL DUE FOR SERVICES **\$860.00**